

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JERMAINE OMAR CAMPBELL,

Plaintiff,

Case No. 1:18-cv-1363

v.

HONORABLE PAUL L. MALONEY

DAVID SHAVER, et al.,

Defendants.

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Motions for summary judgment were filed by Plaintiff (ECF No. 74) and by Defendants David Shaver and Larry L. Wenglikowski (ECF No. 79). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on July 7, 2020, recommending that this Court deny Plaintiff's motion and grant the motion filed by Defendants Shaver and Wenglikowski and enter judgment in favor of Defendants¹. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 87) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Plaintiff (ECF No. 74) is DENIED.

¹ Defendant C. Taylor and Sergeant Moore were dismissed by prior order (ECF No. 9).

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendants Shaver and Wenglikowski (ECF No. 79) is GRANTED.

Although the Court concludes that Plaintiff's claims are properly dismissed, the Court does not conclude that any issue Plaintiff might raise on appeal would be frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). Accordingly, the Court does not certify that an appeal would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: August 5, 2020

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge